REMARKS BEST AVAILABLE COPY

Claims 1 – 18 are pending in the present application. In a Final Office Action dated 9 September 2005, the Examiner objected to claims 16 –18 due to an informality, and rejected claims 1 – 15 under 35 U.S.C. 102(e) as being clearly anticipated by United States Patent No. 6,490,274 issued to Kim. Applicant has cancelled claims 16 – 18 and amended independent claims 1, 6, and 11.

The Examiner rejected claims 1 – 15 under 35 U.S.C. 102(e) as being clearly anticipated by United States Patent No. 6,490,274 issued to Kim, noting with respect thereto:

> *Regarding claims 1, 6, and 11*, Kim teaches a method and system for internet (254) cable phone (208, packet based terminal device) telephony service over internet protocol (IP) (addressing system) for enabling a calling party using a public switched telephone network (PSTN, 260) phone (256, circuit based terminal device), which is addressable via a telephone number, to initiate a communication connection to a called party who is using an IP addressable cable phone (208, a packet-based terminal device, which is addressable via an IP address) (See Fig. 2) comprising
>
> directory information base (DIB, 218 as data storage means), for storing data in as a memory indicative of a correspondence between at least one IP address assigned to a 1st cable phone (208, said called party's packet-based terminal device) and a corresponding PSTN telephone number assigned to 1st cable phone (208, said called party's circuit-based terminal device),
>
> 1st head end unit (202 as terminal device location means), responsive to receipt of data from said calling party indicative of said called party's telephone numbers corresponding to 1st cable phone (208, said called party's circuit-based terminal device), for retrieving data from DIB (218, said memory indicative of said IP address) assigned to a 1st cable phone (208, called party's packet-based terminal device), and
>
> 1st router (216 as communication connection means), for establishing a communication connection between 1st PSTN phone (256, said calling party's circuit-based terminal device) to 1st cable phone (208, said called party's packet-based terminal device) (See Fig. 2, Col. 3, lines 53-67),
>
> wherein the 1st Internet telephony Gate ITG (220) interacting with above units also performs as local exchange carrier function.

Serial No. 09/659,363
Amendment And Remarks Responsive To
        Final Office Action Mailed 09/09/05
Page 8 of 9
223801v1

BEST AVAILABLE COPY

The Examiner also objected to claims 16 – 18 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

Applicant has reviewed the cited Kim reference, the Examiner's clearly stated grounds for rejection, and the Examiner's objection to dependent claims 16 – 18. In response thereto, Applicant has amended independent claims 1, 6, and 11 to include the limitations of the corresponding one of allowable dependent claims 16 – 18, respectively. Applicant has also cancelled claims 16 – 18, since the limitations of these claims are now recited in independent claims 1, 6, and 11.

Summary

Applicant respectfully requests a Notice of Allowance of claims 1 – 15 in this application in light of the amendments and remarks set forth herein. The undersigned attorney requests Examiner Chang to telephone if a conversation could expedite the prosecution of this application. Applicant authorizes the Commissioner to charge any required payment of fees to Deposit Account No. 50-1848.

Respectfully submitted,
PATTON BOGGS LLP

Dated: ___ 11/9/05 ___   By: _____
                                James M. Graziano, Reg. No. 28,300
                                Telephone: (303) 894-6113
                                Facsimile: (303) 894-9239

Customer No.:   24283

Serial No. 09/659,363
Amendment And Remarks Responsive To
    Final Office Action Mailed 09/09/05
Page 9 of 9